

AMENDMENTS TO THE MYSORE TALUK BOARDS (PRESIDENT AND VICE-PRESIDENT) ELEC- TION RULES, 1959.

Mr. SPEAKER.—Sri U. M. Madappa may move the amendment.

Sri U. M. MADAPPA.—Sir, I move:

“That for rule 6, the following rule shall be substituted:—

‘6. Every member of the Taluk Board under section 96 (1) and (2) shall be eligible to act as proposer or seconder or as a person to be nominated for the Office of the President or the Vice-President.’”

Mr. SPEAKER.—A m e n d m e n t moved:

“That for rule 6, the following rule shall be substituted:—

‘6. Every member of the Taluk Board under section 96 (1) and (2) shall be eligible to act as proposer or seconder or as a person to be nominated for the Office of the President or the Vice-President.’”

†ಶ್ರೀ ಯು. ಎಂ. ಮಾದಪ್ಪ.—ಸ್ವಾಮಿ, ನಾನು ಈ ತಿದ್ದುಪಡಿಯನ್ನು ರೂಲ್ 6ಕ್ಕೆ ತಂದಿರತಕ್ಕ ಉದ್ದೇಶ ಈ ಶಾಸನ ಸಭಾ ಸದಸ್ಯರು ಆ ತಾಲ್ಲೂಕ್ ಬೋರ್ಡುಗಳಲ್ಲಿ ಅಧ್ಯಕ್ಷರಾಗಿರಬೇಕೆಂಬ ಚಟುವಟಿಕೆಯನ್ನು ಮೊಟ್ಟಮೊದಲೇ ನಾನೀ ಸಭೆಗೆ ತಿಳಿಸಿ ಲಿಖಿಸುತ್ತೇನೆ. ಆದರೆ ಈ ತಿದ್ದುಪಡಿಯನ್ನು ತಂದಿರತಕ್ಕ ಉದ್ದೇಶವೇನೆಂದರೆ—ಈ ಕಾನೂನಿನಲ್ಲಿರತಕ್ಕ ಅಭ್ಯಾಸವೇನೆಂಬುದನ್ನು ಈ ಮಾನ್ಯ ಸಭೆಯ ಗಮನಕ್ಕೆ ತರಬೇಕೆಂಬುದೇ ನನ್ನ ಅಭಿಪ್ರಾಯ. ಕಾನೂನಿನಲ್ಲಿ ಏನಿದೆಯೋ ಅದರ ಸಾರವಾಗಿ ಈ ರೂಲ್ ಇದ್ದಿದ್ದರೆ ಈ ಒಂದು ತಿದ್ದುಪಡಿಯನ್ನು ತರಲಕ್ಕೆ ಅವಕಾಶವೇ ಇರುತ್ತಿರಲಿಲ್ಲ.

ಸ್ವಾಮಿ, 1956ನೆಯ ಮೂಲ ಆಕ್ಟಿನ ಕ್ಲಾಜ್ (1) ಮತ್ತು (2)ರಲ್ಲಿ ಹೀಗಿದೆ:

ಈಗ ಸರ್ಕಾರದವರು ಈ ಬಗ್ಗೆ ಹೊರಡಿಸಿರತಕ್ಕ ನೋಟೀಫಿಕೇಷನ್ ನಂಬರ್ LLH 7 R.P.A 59 dated 23rd November 59ನಲ್ಲಿ ಹೀಗೆ ಹೇಳಿದ್ದಾರೆ, ಇವರು ರೂಲಿನ 107ನೇ ಕಲಂನಲ್ಲಿ ಹೇಳಿರುವ ಪ್ರಕಾರ ಈ ನೋಟೀಫಿಕೇಷನ್‌ನ್ನು ಮೈಸೂರು ಗೆಜೆಟ್‌ನಲ್ಲಿ ಬಹಿರಂಗ ಪ್ರಕಟಣೆ ಹೊರಡಿಸಬೇಕಾಗಿದ್ದರೆ—

The names of all members elected to any Taluk Board shall be reported to the Commissioner who shall notify it in the Official Gazettee ಇದರಲ್ಲಿ ಹೀಗೆ ಹೇಳಿದ್ದಾರೆ. ರೂಲ್ 96 (1) ಮತ್ತು (2)ರ ಪ್ರಕಾರ ಅಸೆಂಬ್ಲಿಯ ಸದಸ್ಯರಿಗೆ ಒಟ್ ಮಾಡುವುದಕ್ಕೆ ಅಧಿಕಾರ

ವಿದ್ದರೂ ಇವರಿಗೆ ಅಧ್ಯಕ್ಷನಾದಕ್ಕೆ ಇಲ್ಲವೇ ಉಪಾಧ್ಯಕ್ಷನಾದಕ್ಕೆ ನಾಮಕರಣ ಮಾಡತಕ್ಕ ಬಗ್ಗೆ ಯಾವ ಒಬ್ಬ ವ್ಯಕ್ತಿಯ ಹೆಸರನ್ನು ಸೂಚಿಸುವುದಕ್ಕಾಗಲೀ ಅಥವಾ ಸೂಚಿಸಿರತಕ್ಕ ಹೆಸರನ್ನು ಅನುಮೋದಿಸುವುದಕ್ಕಾಗಲೀ ಅವಕಾಶವಿಲ್ಲವೆಂಬುದಾಗಿ ತಿಳಿಸಲಾಗಿದೆ. ಆದರೆ ಈಗ ಇದನ್ನು ಯಾರೂ ಬಯಸಿರಲಿಲ್ಲ. ಈ ಅಸೆಂಬ್ಲಿಯ ಸದಸ್ಯರು ಆ ಬೋರ್ಡುಗಳ ಕಾರ್ಯಕಲಾಪಗಳಲ್ಲಿ ಭಾಗವಹಿಸಿ ಮತದಾನ ಮಾಡತಕ್ಕಂಥಾ ಹಕ್ಕಿರುವಾಗ ಇಂಥ ಸದಸ್ಯರುಗಳಿಗೆ ಈಗ propose ಮಾಡತಕ್ಕ ಅಧಿಕಾರವಿರುವುದಿಲ್ಲ; Second ಮಾಡತಕ್ಕ ಅಧಿಕಾರವಿರುವುದಿಲ್ಲ ಎಂದು ಹೇಳಿದ್ದಾರೆ. ಆದರೆ ಅಸೆಂಬ್ಲಿಯ ಸದಸ್ಯರಿಗೆ ಆ ಸಭೆಯಲ್ಲಿ ಸದಸ್ಯರಾಗಿ ಕುಳಿತು ಒಟ್ ಮಾಡುವುದಕ್ಕೆ ಅಧಿಕಾರವಿದ್ದರೆ ಆಗ ಅವರಿಗೆ ಈ propose ಮಾಡುವುದಕ್ಕೂ ಅಧಿಕಾರ ಇರಬೇಕು. ಈ propose ಮಾಡತಕ್ಕ ಅಧಿಕಾರವಿದ್ದರೆ second ಮಾಡುವ ಅಧಿಕಾರವೂ ಇದ್ದೇ ತೀರಬೇಕು. ಯಾವಾಗ ಹೀಗೆ Second ಮಾಡುವುದಕ್ಕೆ ಅವಕಾಶವಿರುತ್ತದೆಯೋ ಆಗ ಅವರಿಗೆ ಚುನಾವಣೆಗಳಲ್ಲಿ ಸ್ಪರ್ಧಿಸುವುದಕ್ಕೂ ಅಧಿಕಾರವಿರಬೇಕು ಎನ್ನುವುದು ಸರಿಯೇ ಅಥವಾ ಇಲ್ಲವೇ ಎನ್ನುವುದನ್ನು ನ್ಯಾಯಾಂಗ ಸಚಿವರೇ ಹೇಳಲಿ. ಈಗಿರತಕ್ಕ ಕಾನೂನನ್ನು ಸೂಕ್ಷ್ಮದೃಷ್ಟಿಯಿಂದ ನೋಡಿದ್ದಾದರೆ ಅದರಲ್ಲಿ ನಿರ್ದಿಷ್ಟವಾಗಿ ಯಾವುದನ್ನೂ ಹೇಳಿಲ್ಲ. ಹಾಗೆ ನಿರ್ದಿಷ್ಟವಾಗಿಲ್ಲದಿರುವುದರಿಂದ ಇಂದು ಚರ್ಚೆಗೆ ಎಡೆಗೊಟ್ಟಿದೆಯೆಂಬುದಾಗಿ ನಾನು ಹೇಳಬಯಸುತ್ತೇನೆ. ಈ ಡಿಸ್‌ಕ್ಯಾಲಿಫಿಕೇಷನ್ ಕಾಂಪೊಜಿಷನ್ ಆಪ್ ಮೆಂಬರುಗಳ ವಿಚಾರದಲ್ಲಿ ಇವರು ಮೆಂಬರ್ ಹೌದು ಎಂತ ಹೇಳುವುದಕ್ಕೂ ಅವಕಾಶವಿದೆ, ಮತ್ತೊಂದಾವರ್ತಿ ನೋಡಿದರೆ ಇವರು ಮೆಂಬರಲ್ಲ ಎಂದು ಹೇಳುವುದಕ್ಕೂ ಅವಕಾಶವಿದೆ.

ಶ್ರೀ ಚಿ.ಸುಬ್ರಹ್ಮಣ್ಯ (ನ್ಯಾಯಾಂಗ ಸಚಿವರು).—ಅವರು ಮೆಂಬರಲ್ಲ ಎಂದು ಹೇಳುತ್ತೇನೆ.

ಶ್ರೀ ಯು. ಎಂ. ಮಾದಪ್ಪ.—ತಾವು ಏನು ಬೇಕಾದರೂ ಹೇಳುತ್ತೀರಿ. ಸರ್ಕಾರದವರು ಇಂಥ ಚರ್ಚಾಸ್ಪದವಾದ ಕಾನೂನುಗಳನ್ನು ಮಾಡಿ ದೇಶದಲ್ಲಿ ಲಿಟಿಗೇಷನ್‌ಗಳನ್ನು ಹೆಚ್ಚು ಮಾಡುವುದು ಬೇಡ ಎಂದು ಹೇಳುತ್ತಿದ್ದೇನೆ. ಈ ತಿದ್ದುಪಡಿಯನ್ನು ಈ ಸಭೆಯವರು ಒಮ್ಮೆ ನನ್ನೊಂದಿಗೆ ಒಪ್ಪಿಕೊಳ್ಳಬೇಕೆಂದು ಹೇಳುತ್ತೇನೆ. ಒಟ್ಟಿನಲ್ಲಿ ಈ ಕಾನೂನು ಬಹಳ ಚರ್ಚಾಸ್ಪದವಾಗಿದೆ, ವ್ಯಂಗ್ಯವಾಗಿದೆ, ವಿರೋಧಾಭಾಸಗಳಿಂದ ಕೂಡಿದೆ. ಅದಕ್ಕಾಗಿ ಅದನ್ನು ತೀವ್ರವಾಗಿ ಪ್ರತಿಭಟಿಸಬೇಕೆಂದೇ ನಾನೀಗ ಈ ತಿದ್ದುಪಡಿಯನ್ನು ಸಭೆಯ ಮುಂದೆ ತಮ್ಮೆಲ್ಲರ ಅನುಮತಿಗಾಗಿ ಇಡುತ್ತೇನೆ—

†Sri T. SUBRAMANYA.—This amendment to the rule is against the very spirit of the Village Panchayat and Local Boards Act which this House has accepted. According to section 113 of the Mysore Village Panchayat and Boards Act, every Taluk Board shall choose two of its members to be the President and Vice-President. According to sub-section (1) of section 93 two of the members shall be of the Taluk Board. Every one who is elected to the Board from a particular constituency is a member. Section 2 says that

(SRI T. SUBRAMANYA)

every M.L.A. shall take part in the proceedings and vote. He will be entitled to vote and take part in the proceedings and he is not a member because he is not elected. That was the view of this House also at that time and the House accepted it.

Hence I am of the opinion that this amendment would really go against the spirit of the enactment and therefore cannot be accepted.

Sri U. M. MADAPPA.—The rule framed under the enactment is not in conformity with the Act.

Sri T. SUBRAMANYA.—That is a different matter and cannot be dealt with here.

ಶ್ರೀ ಬಿ. ರಾಜಯ್ಯ.—ನದಸ್ಯರುಗಳೂ ಎಲೆಕ್ಷನ್‌ಗೆ ಬರಬಹುದಲ್ಲವೇ ?

Sri T. SUBRAMANYA.—Likewise, Assembly Members are not disqualified from contesting the elections to the membership of the taluk boards.

Sri G. VENKATAI GOWDA.—When a Member has been given the right to vote, why should not he be allowed to contest the election for the Presidentship ?

Sri T. SUBRAMANYA.—According to the present enactment they are prohibited from standing for elections as President and vice-President to the Taluk Boards. The rule we have framed is in conformity with this principle enunciated in the Act.

Sri F. H MOHSIN.—Since many of the Members of the Opposition in this House are of the opinion that members of the Legislature should be able to be Presidents, would the Government think of amending the Act so as to provide for this ?

Sri T. SUBRAMANYA.—I will come to that point.

Sir, several members represented to me and to the Government that the elections to the village panchayats and the taluk boards should not be held simultaneously for various reasons and that the village panchayat elections might be held first and the taluk board elections later on. I promised a statement to the Members of this House after taking a decision. In response to the wishes of all the

sections of this House, Government have decided to hold the village panchayat elections in the month of February and elections to the taluk boards will be held somewhere in the months of April and May. It means an extra cost of 3 lakhs. The House wanted it, a majority of the Members wanted it and the Government have accepted it. Members sitting on the opposite side also expressed that view. In spite of the increase of 3 lakhs in cost, we have accepted to hold elections to the taluk boards in the months of April and May. It may begin in the last week of April and end in May. So far as the village panchayats are concerned, elections will be held in the months of February and March.

Sir, if it is the opinion of the majority of the members of the House that members of the Legislature must be allowed to contest for the Presidentship of taluk boards, I for one would be willing to introduce an amendment to the enactment itself in the budget session, so that, in time, my friends will be enabled to contest for the Presidentship also. I accept the proposal in theory and in spirit and I say that I hold myself responsible for moving an amendment, if that is the consensus of opinion in the House and if the several sections of the House want such an amendment.

Sri C. K. RAJAI AH SETTY.—We demand such an amendment.

Sri T. SUBRAMANYA.—Why not the Member put it in some better way? He will not lose anything by being courteous. The question of demanding may not be proper. I do not mind the word myself, but it is not in keeping with parliamentary traditions. I will try to bring an amendment myself and expect that will have the full support of the entire House.

Sri GAJANAN PANDIT.—Does that mean that the M. L. As would have first to contest for the primary elections and then stand for the Presidentship ?

Sri T. SUBRAMANYA.—As the law stands today, if an M.L.A. wants to contest for the Presidentship of the taluk board, he has first to contest for the taluk board in the primary

elections also. Now the amendment proposed is that by virtue of his office as a member of the Assembly, he is to be considered as a full member of the taluk board and therefore he will have the right to contest for the Presidentship even without contesting for the primary elections. In view of this assurance, I would request the hon'ble Member to withdraw the proposed amendment.

Sri U. M. MADAPPA.—In view of the Minister's statement, I would like to withdraw the amendment.

The amendment was, by leave, withdrawn.

Mr. SPEAKER.—Sri Sharan Gowda will move a resolution now.

Sri U. M. MADAPPA.—There is very little time left now. We may adjourn now.

Mr. SPEAKER.—If the intention of the hon'ble Members is that the motion should be taken up tomorrow, I have no objection. ನಾಳೆ ನಾನ್ ಅಫಿಷಿಯಲ್ ಬಿಸಿನೆಸ್ ಇದೆ, ಬೇಕಾದರೆ ಅರ್ಧ ಗಂಟೆ ಯೊಳಗೆ ಇದು ಮುಗಿದು ಹೋಗುತ್ತದೆ.

ಶ್ರೀ ಯು. ಎಂ. ಮಾದಪ್ಪ.—ಇನ್ನು ಅರ್ಧಗಂಟೆ ಕುಳಿತುಕೊಳ್ಳುವುದಾದರೆ ಇವೊತ್ತೇ ಈ ವಿಷಯವನ್ನೆ ಚರ್ಚೆ ಮಾಡಬಹುದು.

Mr. SPEAKER.—The Chief Minister is not here.

INTRODUCTION OF BILLS

Sri T. SUBRAMANYA.—I beg to introduce:

The Mysore High Court Bill, 1959.

Mr. SPEAKER.—The Bill is introduced.

Sri T. SUBRAMANYA.—I beg to introduce:

The Mysore Municipalities Bill, 1959.

Mr. SPEAKER.—The Bill is introduced.

Sri H. M. CHANNABASAPPA.—I beg to introduce:

The Mysore Irrigation Bill, 1959.

Mr. SPEAKER.—The Bill is introduced.

Sri N. RACHIAH.—I beg to introduce:

The Mysore Prohibition Bill, 1959.

Mr. SPEAKER.—The Bill is introduced.

Mr. SPEAKER.—Before we rise for the day, I want to announce to the House the position of questions. Questions tabled: 552. Questions admitted: 447. Replies received from Government 282.

Members' Representations

Sri Y. VEERAPPA.—Sir, we are dissatisfied with the attitude of the Government on this matter of questions. We note that Government have not been promptly answering certain questions, to which answers are readily available even in the headquarters. Further, this method of adjourning the House *sine die* and then proroguing it, creates a lot of confusion.

6 P.M.

Therefore, I submit to the House through the Speaker that the House should be prorogued at the end of the session itself in order to enable members to send their questions and get replies in time.

Sri B. K. PUTTARAMIYA.—Will there be any chance of at least one question of mine being answered in this session? What is the sin that I have committed as the Government have not answered my questions?

ಶ್ರೀ ಬಿ. ಹನುಮಯ್ಯ.—ಪಚೇಲ ಶ್ಯಾನುಭೋಗರ ಹಕ್ಕನ್ನು ರದ್ದು ಮಾಡುವ ಬಿಲ್ಲು ಬರುತ್ತದೆ ಎಂದು ಹೇಳಿದ್ದರು. ಇನ್ನೂ ಬರೇ ಇಲ್ಲವಲ್ಲಾ, ಸ್ವಾಮಿ.

ಅಧ್ಯಕ್ಷರು.—ಎಂದರೆ, ಪ್ರಶ್ನೆಗಳ ಬಗ್ಗೆ ಸ್ವಲ್ಪ ತೊಂದರೆಯಾಗುತ್ತಿದೆ. ನಾವು ಕಳುಹಿಸಿಕೊಟ್ಟ ಪ್ರಶ್ನೆಗಳಿಗೆ—ಎಷ್ಟೋ ದಿನಗಳ ಮೊದಲೇ ಕಳುಹಿಸಿದ್ದರೂ ಸರ್ಕಾರದ ಕಡೆಯಿಂದ ಉತ್ತರ ಸರಿಯಾಗಿ ಬರುತ್ತಿಲ್ಲ. ಇದರಿಂದ ತೊಂದರೆಯಾಗಿದೆ. ನನಗೂ ಶ್ರೀಮಾನ್ ವೀರಪ್ಪನವರು ಹೇಳಿದ ಹಾಗೆ sine-die ಮಾಡಿ ಅಡಜರ್ನ್ ಮಾಡುವುದಕ್ಕೆ ಬದಲಾಗಿ Prorogue ಮಾಡುವುದೇ ಸರಿಯಾಗಿ ಕಾಣುತ್ತದೆ. If it is possible tomorrow, Government may please get the prorogation order.